



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,408	02/08/2002	Blair E. Nygren	019143.0347	2922

7590 04/27/2006

Samir A. Bhavsar, Esq.
Baker Botts L.L.P.
6th Floor
2001 Ross Avenue
Dallas, TX 75201-2980

EXAMINER

THAI, CANG G

ART UNIT	PAPER NUMBER
----------	--------------

3629

DATE MAILED: 04/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/072,408	NYGREN ET AL.	
	Examiner	Art Unit	
	Cang G. Thai	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This is in response to an amendment file on 02/17/2006 for letter for patent filed on 02/08/2002. Claims 1-62 are pending in the letter.

Status of Claims

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-62 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,763,104 (JUDKINS ET AL).

As for claim 1, JUDKINS discloses a system for implementing a recording plan based upon the presence of a client, comprising:

one or more processing units {Column 17, Lines 54-56, wherein this reads over “the manager 130 can be loaded onto a desktop computer that is networked with the other call center system computers and associated applications”}:

a client monitor operable to, when executed by at least one of the one or more processing units, generate a presence message signifying the presence of a client on a network associated with the system, wherein the presence message comprises a

Art Unit: 3629

presence type and a client identity {Column 7, Lines 38-42, wherein this reads over "The ACD server administrator 126 also contains resource utilization tools (FIG. 19) that help a user monitor system memory use and availability, which clients are logged in, CTI link messages per minute, historical memory loads on the system"}; and

a plan manager operable to, when executed by at least one of the one or more processing units {Column 5, Lines 37-40, wherein this reads over "An Automated Call Distributor (ACD) server 110 includes an ACD manager application and also acts as a call center server administrator"}:

receive the presence message from the client monitor {Column 6, Lines 50-52, wherein this reads over "Messages are received from these systems and are translated back into a published format through the same mechanisms"};

retrieve a plan template in response to receiving the presence message, wherein the plan template is retrieved based upon the client identity and the presence type {Column 5, Lines 35-37, wherein this reads over "The call center system 100 includes an Interactive Voice Response (IVR) server 108, which also doubles as a call logger/recorder"}; and

create a recording plan associated with the client based at least in part upon the plan template {Column 18, Lines 39-42, wherein this reads over "A user would set up different route ID's, based on needs, and then apply each route ID to one or more DNIS numbers, and use these route ID's as "schedules" about when to be open or closed"}.

Art Unit: 3629

As for claim 2, JUDKINS discloses the system of Claim 1, wherein the network comprises at least one of a voice network and a data network, wherein the presence type indicates the presence of the client on at least one of the voice network and the data network {Column 2, Lines 29-32, wherein this reads over "call can be received within the call center switch from a public switched telephone network (PSTN) and the call is routed to a call center interactive voice response (IVR) server"}.

As for claim 3, JUDKINS discloses the system of Claim 1, wherein the plan template comprises a plurality of recording parameters, trigger information, and parameter information {Column 7, Lines 22-25, wherein this reads over "Using the ACD server administrator 126, a database administrator or MIS personnel can open different windows to configure the parameters of the switching platform 102 and match up the switch features specific to the switching platform used to provide the switching matrix"}.

As for claim 4, JUDKINS discloses the system of Claim 3, wherein the recording parameters define a number of recordings to be made for a plan period {Column 2, Lines 23-26, wherein this reads over "A call can be held in queue a predetermined period of time in order to obtain an agent with the highest proficiency level before routing the call to an agent having a lower proficiency level"}.

As for claim 5, JUDKINS discloses the system of Claim 3, wherein the recording parameters further define a recording pattern according to which the recordings are made during the plan period {Column 6, Lines 26-28, wherein this reads over "The construction editor allows a user to build advanced IVR features that seamlessly

Art Unit: 3629

integrate into the ACD system, construct custom voice mail application, and perform call recording"}.

As for claim 6, JUDKINS discloses the system of Claim 3, wherein the recording parameters further define a type of recordings to be made {Column 18, Lines 36-39, wherein this reads over "This is referred to as a "routing schedule," because all calls are routed to live agents or voice mail/recordings based on the hours a user sets for each route ID"}.

As for claim 7, JUDKINS discloses the system of Claim 3, wherein the trigger information comprises a plurality of trigger conditions used to initiate recording of at least one of a voice session and a data session conducted by the client {Column 6, Lines 28-30, wherein this reads over "Each IVR server is capable of supporting up to 96 voice ports a piece"}.

As for claim 8, JUDKINS discloses the system of Claim 1, wherein the plan manager is further operable to retrieve client information based upon the client identity, in response to receiving the presence message, and to create the recording plan further based upon the client information {Column 6, Lines 47-50, wherein this reads over "Call control and telephony control messages within the system can be read, formatted and transmitted via a published set of API functions, which are then set to the host database systems and applications for processing"}.

As for claim 9, JUDKINS discloses the system of Claim 1, wherein the plan template indicates a plan period and the client information indicates client availability for at least a portion of the plan period {Column 18, Lines 29-31, wherein this reads

Art Unit: 3629

over “These schedules could include the days and times that the call center is open and accepting calls”}.

As for claim 10, JUDKINS discloses the system of Claim 9, wherein the plan manager is further operable to assign a priority to the recording plan based at least in part upon the client availability {Column 13, Lines 43-45, wherein this reads over “The call center system 100 can escalate the priority of a call after it has been in the queue”}.

As for claim 11, JUDKINS discloses the system of Claim 1, wherein the recording plan comprises a plurality of trigger conditions used to initiate recording of at least one of a voice session and a data session conducted by the client {Column 6, Lines 28-30, wherein this reads over “Each IVR server is capable of supporting up to 96 voice ports a piece”}.

As for claim 12, JUDKINS discloses the system of Claim 11, wherein the trigger conditions are based upon computer telephony interface (CTI) events {Column 6, Lines 41-46, wherein this reads over “The CTI can provide an interface between the call center system and a network environment that is CSTA, TSAPI and TAPI standard components, and translate various proprietary call control and telephony control commands, such as used with a Harris 20-20 switch, into a format that is widely accepted as the standard for call center applications”}.

As for claim 13, JUDKINS discloses the system of Claim 11, wherein the trigger conditions are based upon keyboard entries at a computer associated with the client {Column 27, Lines 26-28, wherein this reads over “It is a flexible, non-obtrusive

Art Unit: 3629

graphical user interface design and is easily minimized and can be keyboard or mouse driven. It can be multilingual"}.

As for claim 14, JUDKINS discloses the system of Claim 11, wherein the trigger conditions are based upon an application launched at a computer associated with the client {Column 27, Lines 31-34, wherein this reads over "The soft phone requires minimal desk space (i.e., a headset and compact dial pad) and is easily customized to work with popular help desk applications such as Remedy"}.

As for claim 15, JUDKINS discloses the system of Claim 1, wherein the recording plan comprises recording instructions {Column 17, Lines 19-21, wherein this reads over "The stoplight icon 294c will change from red to green and the IVR server status below the icon will change to "Running.""}.

As for claim 16, JUDKINS discloses the system of Claim 15, wherein the recording instructions define a number of recordings to be made for a plan period {Column 18, Lines 29-31, wherein this reads over "These schedules could include the days and times that the call center is open and accepting calls"}.

As for claim 17, JUDKINS discloses the system of Claim 16, wherein the instructions define a recording pattern according to which the recordings are made for the plan period {Column 18, Lines 29-31, wherein this reads over "These schedules could include the days and times that the call center is open and accepting calls"}.

As for claim 18, JUDKINS discloses the system of Claim 17, wherein the recording pattern comprises at least one of a random pattern, a first available pattern, a manual pattern, and a dispersion pattern {Column 9, Lines 31-33, wherein this reads

Art Unit: 3629

over “A route pattern gets the call out of the switch, such as either to an IVR 108, as is the case with the call center, or to an outside trunk connection 152a”}.

As for claim 19, JUDKINS discloses the system of Claim 1, further comprising a record manager communicatively coupled to the plan manager, wherein the recording plan comprises at least a voice recording plan, and the plan manager is further operable to communicate the voice recording plan to the record manager {Column 6, Lines 28-30, wherein this reads over “Each IVR server is capable of supporting up to 96 voice ports a piece”}.

As for claim 20, JUDKINS discloses the system of Claim 19, further comprising a trigger manager communicatively coupled to the plan manager, wherein the voice recording plan comprises a plurality of trigger conditions, and the plan manager is further operable to communicate the voice recording plan to the trigger manager {Column 6, Lines 28-30, wherein this reads over “Each IVR server is capable of supporting up to 96 voice ports a piece”}.

As for claim 21, JUDKINS discloses the system of Claim 20, wherein the trigger manager generates a record command in response to detecting at least one of the trigger conditions, and wherein the record manager records a voice session conducted by the client, in response to the record command {Column 6, Lines 41-46, wherein this reads over “The CTI can provide an interface between the call center system and a network environment that is CSTA, TSAPI and TAPI standard components, and translate various proprietary call control and telephony control commands, such as

Art Unit: 3629

used with a Harris 20-20 switch, into a format that is widely accepted as the standard for call center applications”}.

As for claim 22, JUDKINS discloses the system of Claim 19, wherein the record manager records a voice session conducted by the client, according to the voice recording plan {Column 6, Lines 28-30, wherein this reads over “Each IVR server is capable of supporting up to 96 voice ports a piece”}.

As for claim 23, JUDKINS discloses the system of Claim 22, further comprising a session manager communicatively coupled to the record manager, wherein the record manager communicates a request message to the session manager and records the voice session according to the voice recording plan if it receives an authorization communicated by the session manager {Column 10, Lines 7-11, wherein this reads over “The call center system 100 could use profile 39, which includes: dialed number, access code, authorization code (i.e., ANI), account code, initiating trunk group, initiating circuit, routing class, extension ANI, string and switch ID”}.

As for claim 24, JUDKINS discloses the system of Claim 1, further comprising a client manager operating on a computer associated with the client, wherein the recording plan comprises at least a data recording plan, and the plan manager is further operable to communicate the data recording plan to the client manager {Column 6, Lines 41-46, wherein this reads over “The CTI can provide an interface between the call center system and a network environment that is CSTA, TSAPI and TAPI standard components, and translate various proprietary call control and telephony control

Art Unit: 3629

commands, such as used with a Harris 20-20 switch, into a format that is widely accepted as the standard for call center applications”}.

As for claim 25, JUDKINS discloses the system of Claim 24, wherein the client manager records a data session conducted by the client, in response to detecting at least one trigger condition associated with the data recording plan {Column 34, Lines 47-48, wherein this reads over “The result associated with that event allows a script to behave differently when that event is triggered”}.

As for claim 26, JUDKINS discloses the system of Claim 25, further comprising a session manager communicatively coupled to the client manager, wherein the client manager communicates a request message to the session manager and records the data session according to the data recording plan if it receives an authorization communicated by the session manager {Column 10, Lines 7-11, wherein this reads over “The call center system 100 could use profile 39, which includes: dialed number, access code, authorization code (i.e., ANI), account code, initiating trunk group, initiating circuit, routing class, extension ANI, string and switch ID”}.

As for claim 27, JUDKINS discloses the system of Claim 1, further comprising:
a record manager communicatively coupled to the plan manager {Column 5, Lines 37-40, wherein this reads over “An Automated Call Distributor (ACD) server 110 includes an ACD manager application and also acts as a call center server administrator”}; and

a client manager operating on a computer associated with the client {Column 7, Lines 38-42, wherein this reads over “The ACD server administrator 126 also contains

Art Unit: 3629

resource utilization tools (FIG. 19) that help a user monitor system memory use and availability, which clients are logged in, CTI link messages per minute, historical memory loads on the system”};

wherein the recording plan comprises a data recording plan and a voice recording plan, and the plan manager is further operable to communicate the voice recording plan to the record manager and to communicate the data recording plan to the client manager {Column 34, Lines 47-48, wherein this reads over “The result associated with that event allows a script to behave differently when that event is triggered”}.

As for claim 28, JUDKINS discloses the system of Claim 27, wherein the record manager records a voice session conducted by the client, according to the voice recording plan {Column 6, Lines 28-30, wherein this reads over “Each IVR server is capable of supporting up to 96 voice ports a piece”}.

As for claim 29, JUDKINS discloses the system of Claim 28, further comprising a session manager communicatively coupled to the record manager, wherein the record manager communicates a request message to the session manager and records the voice session according to the voice recording plan if it receives an authorization communicated by the session manager {Column 10, Lines 7-11, wherein this reads over “The call center system 100 could use profile 39, which includes: dialed number, access code, authorization code (i.e., ANI), account code, initiating trunk group, initiating circuit, routing class, extension ANI, string and switch ID”}.

As for claim 30, JUDKINS discloses the system of Claim 29, wherein the session manager generates a record command in response to the request message communicated by the record manager, and wherein the client manager records a data session conducted by the client in response to the record command {Column 6, Lines 41-46, wherein this reads over "The CTI can provide an interface between the call center system and a network environment that is CSTA, TSAPI and TAPI standard components, and translate various proprietary call control and telephony control commands, such as used with a Harris 20-20 switch, into a format that is widely accepted as the standard for call center applications"}.

As for claim 31, JUDKINS discloses the system of Claim 27, wherein the client manager records a data session conducted by the client, in response to detecting at least one trigger condition associated with the data recording plan {Column 34, Lines 47-48, wherein this reads over "The result associated with that event allows a script to behave differently when that event is triggered"}.

As for claim 32, JUDKINS discloses the system of Claim 31, further comprising a session manager, wherein the client manager communicates a request message to the session manager and records the data session according to the data recording plan if it receives an authorization communicated by the session manager {Column 10, Lines 7-11, wherein this reads over "The call center system 100 could use profile 39, which includes: dialed number, access code, authorization code (i.e., ANI), account code, initiating trunk group, initiating circuit, routing class, extension ANI, string and switch ID"}.

As for claim 33, JUDKINS discloses the system of Claim 32, wherein the session manager generates a record command in response to the request message communicated by the client manager, and wherein the record manager records a voice session conducted by the client in response to the record command {Column 10, Lines 7-11, wherein this reads over "The call center system 100 could use profile 39, which includes: dialed number, access code, authorization code (i.e., ANI), account code, initiating trunk group, initiating circuit, routing class, extension ANI, string and switch ID"}.

As for claim 34, JUDKINS discloses the system of Claim 1, further comprising a trigger manager, wherein the recording plan comprises a master recording plan, and the plan manager is further operable to communicate the master recording plan to the trigger manager {Column 6, Lines 28-30, wherein this reads over "Each IVR server is capable of supporting up to 96 voice ports a piece"}.

As for claim 35, JUDKINS discloses the system of Claim 34, wherein the trigger manager generates a record command in response to detecting at least one trigger condition associated with the master recording plan, and further comprising a record manager that records a voice session conducted by a client in response to the record command {Column 6, Lines 41-46, wherein this reads over "The CTI can provide an interface between the call center system and a network environment that is CSTA, TSAPI and TAPI standard components, and translate various proprietary call control and telephony control commands, such as used with a Harris 20-20 switch, into a format that is widely accepted as the standard for call center applications"}.

As for claim 36, JUDKINS discloses the system of Claim 1, wherein the network comprises a voice network and further comprising a call manager operable to:

determine that the client has logged into the voice network {Column 19, Lines 40-41, wherein this reads over "Call logging 390 saves all important information for that skill"}; and

communicate a message to the client monitor identifying the client {Column 19, Lines 41-42, wherein this reads over "This information can then be used for reporting statistical purposes"}.

As for claim 37, JUDKINS discloses the system of Claim 36, wherein the voice network comprises a computer telephony interface (CTI) server and the call manager determines that the client has logged into the voice network in response to receiving a CTI event message {Column 6, Lines 41-46, wherein this reads over "The CTI can provide an interface between the call center system and a network environment that is CSTA, TSAPI and TAPI standard components, and translate various proprietary call control and telephony control commands, such as used with a Harris 20-20 switch, into a format that is widely accepted as the standard for call center applications"}.

As for claim 38, JUDKINS discloses the system of Claim 1, wherein the network comprises a data network and further comprising a client manager operating on a computer associated with the client and operable to:

determine that the client has logged into the data network {Column 19, Lines 40-41, wherein this reads over "Call logging 390 saves all important information for that skill"}; and

Art Unit: 3629

communicate a message to the client monitor identifying the client {Column 19, Lines 41-42, wherein this reads over “This information can then be used for reporting statistical purposes”}.

As for Claim 39, JUDKINS discloses a system for implementing a recording plan based upon the presence of a client, comprising:

a memory operable to store a plurality of plan templates and client information {Column 7, Lines 38-42, wherein this reads over “The ACD server administrator 126 also contains resource utilization tools (FIG. 19) that help a user monitor system memory use and availability, which clients are logged in, CTI link messages per minute, and historical memory loads on the system”};

a processor coupled to the memory and operable to:

receive a presence message signifying the presence of a client on a network associated with the system, the presence message comprising a presence type and a client identity {Column 6, Lines 50-52, wherein this reads over “Messages are received from these systems and are translated back into a published format through the same mechanisms”};

retrieve a plan template from the memory in response to receiving the presence message, wherein the template is retrieved based upon the client identity and the presence type {Column 5, Lines 35-37, wherein this reads over “The call center system 100 includes an Interactive Voice Response (IVR) server 108, which also doubles as a call logger/recorder”}; and

create a recording plan associated with the client based at least in part upon the plan template {Column 18, Lines 39-42, wherein this reads over "A user would set up different route ID's, based on needs, and then apply each route ID to one or more DNIS numbers, and use these route ID's as "schedules" about when to be open or closed"}.

As for Claim 40, JUDKINS discloses the system of Claim 39, wherein the network comprises at least one of a voice network and a data network, wherein the presence type indicates the presence of the client on at least one the voice network and the data network {Column 2, Lines 29-32, wherein this reads over "call can be received within the call center switch from a public switched telephone network (PSTN) and the call is routed to a call center interactive voice response (IVR) server"}.

As for Claim 41, JUDKINS discloses the system of Claim 39, wherein the plan template comprises a plurality of recording parameters, trigger information, and participant information {Column 7, Lines 22-25, wherein this reads over "Using the ACD server administrator 126, a database administrator or MIS personnel can open different windows to configure the parameters of the switching platform 102 and match up the switch features specific to the switching platform used to provide the switching matrix"}.

As for Claim 42, JUDKINS discloses the system of Claim 39, wherein the processor is further operable to retrieve client information based upon the client identity, in response to receiving the presence message, and create the recording plan further based upon the client information {Column 6, Lines 47-50, wherein this reads over "Call control and telephony control messages within the system can be read, formatted and

Art Unit: 3629

transmitted via a published set of API functions, which are then set to the host database systems and applications for processing”}.

As for Claim 43, JUDKINS discloses the system Claim 42, wherein the plan template indicates plan period and the client information indicates client availability for at least a portion of the plan period {Column 18, Lines 29-31, wherein this reads over “These schedules could include the days and times that the call center is open and accepting calls”}.

As for Claim 44, JUDKINS discloses the system Claim 39, wherein the recording plan comprises a plurality of trigger conditions used initiate recording of at least one of a voice session and data session conducted by the client {Column 6, Lines 28-30, wherein this reads over “Each IVR server is capable of supporting up to 96 voice ports a piece”}.

As for Claim 45, JUDKINS discloses the system of Claim 39, wherein the recording plan comprises recording instructions {Column 17, Lines 19-21, wherein this reads over “The stoplight icon 294c will change from red to green and the IVR server status below the icon will change to “Running.””}.

As for Claim 46, JUDKINS discloses the system of Claim 45, wherein the recording instructions define a number of recordings to be made for a plan period {Column 18, Lines 29-31, wherein this reads over “These schedules could include the days and times that the call center is open and accepting calls”}.

As for Claim 47, JUDKINS discloses the system of Claim 46, wherein the recording instructions define recording pattern according to which the recordings are

Art Unit: 3629

made for the plan period {Column 18, Lines 29-31, wherein this reads over "These schedules could include the days and times that the call center is open and accepting calls"}.

As for Claim 48, JUDKINS discloses the system Claim wherein the recording pattern at least one of a random pattern, a first available pattern, manual pattern, and dispersion pattern {Column 9, Lines 31-33, wherein this reads over "A route pattern gets the call out of the switch, such as either to an IVR 108, as is the case with the call center, or to an outside trunk connection 152a"}.

As for Claim 49, JUDKINS discloses the system Claim 39, wherein the recording plan comprises a voice recording plan and the processor is operable to record a voice session conducted by the client, according to the voice recording plan {Column 6, Lines 28-30, wherein this reads over "Each IVR server is capable of supporting up to 96 voice ports a piece"}.

As for Claim 50, JUDKINS discloses the system Claim 39, wherein the recording plan comprises a data-recording plan and a computer associated with the client is operable to record a data session conducted the client, according to the data-recording plan {Column 6, Lines 41-46, wherein this reads over "The CTI can provide an interface between the call center system and a network environment that is CSTA, TSAPI and TAPI standard components, and translate various proprietary call control and telephony control commands, such as used with a Harris 20-20 switch, into a format that is widely accepted as the standard for call center applications"}.

As for Claim 51, JUDKINS discloses a method for implementing a recording plan based upon the presence of a client, comprising:

receiving a presence message signifying the presence of a client, the presence message comprising a presence type and a client identity {Column 6, Lines 50-52, wherein this reads over "Messages are received from these systems and are translated back into a published format through the same mechanisms"};

retrieving a plan template in response to receiving the presence message, wherein the plan template is retrieved based upon the client identity and the presence type {Column 5, Lines 35-37, wherein this reads over "The call center system 100 includes an Interactive Voice Response (IVR) server 108, which also doubles as a call logger/recorder"}; and

creating a recording plan associated with the client based at least in part upon the plan template {Column 18, Lines 39-42, wherein this reads over "A user would set up different route ID's, based on needs, and then apply each route ID to one or more DNIS numbers, and use these route ID's as "schedules" about when to be open or closed"}.

As for Claim 52, JUDKINS discloses the method of Claim 51, wherein the presence type indicates the presence of the client on at least one of a voice network and a data network {Column 2, Lines 29-32, wherein this reads over "call can be received within the call center switch from a public switched telephone network (PSTN) and the call is routed to a call center interactive voice response (IVR) server"}.

As for Claim 53, JUDKINS discloses the method of Claim 51, wherein the plan template comprises a plurality of recording parameters, trigger information, and participant information {Column 7, Lines 22-25, wherein this reads over “Using the ACD server administrator 126, a database administrator or MIS personnel can open different windows to configure the parameters of the switching platform 102 and match up the switch features specific to the switching platform used to provide the switching matrix”}.

As for Claim 54, JUDKINS discloses the method Claim 51, further comprising retrieving client information based upon the client identity, and wherein the step of creating comprises creating the recording plan further based upon the client information {Column 6, Lines 47-50, wherein this reads over “Call control and telephony control messages within the system can be read, formatted and transmitted via a published set of API functions, which are then set to the host database systems and applications for processing”}.

As for Claim 55, JUDKINS discloses the method Claim 54, wherein the plan template indicates a plan period and the client information indicates client availability for at least a portion of the plan period {Column 18, Lines 29-31, wherein this reads over “These schedules could include the days and times that the call center is open and accepting calls”}.

As for Claim 56, JUDKINS discloses the method of Claim 51, wherein the recording plan comprises a plurality of trigger conditions used to initiate recording of at least one of a voice session and a data session conducted by the client {Column 6,

Art Unit: 3629

Lines 28-30, wherein this reads over “Each IVR server is capable of supporting up to 96 voice ports a piece”}.

As for Claim 57, JUDKINS discloses the method of Claim 51, wherein the recording plan comprises recording instructions {Column 17, Lines 19-21, wherein this reads over “The stoplight icon 294c will change from red to green and the IVR server status below the icon will change to "Running.""}.

As for Claim 58, JUDKINS discloses the method of Claim 57, wherein the recording instructions define a number of recordings to be made for a plan period {Column 18, Lines 29-31, wherein this reads over “These schedules could include the days and times that the call center is open and accepting calls”}.

As for Claim 59, JUDKINS discloses the method of Claim 58, wherein the recording instructions define a recording pattern according to which the recordings are made for the plan period {Column 18, Lines 29-31, wherein this reads over “These schedules could include the days and times that the call center is open and accepting calls”}.

As for Claim 60, JUDKINS discloses the method of Claim 59, wherein the recording pattern at least one of a random pattern, a first available pattern, manual pattern, and a dispersion pattern {Column 9, Lines 31-33, wherein this reads over “A route pattern gets the call out of the switch, such as either to an IVR 108, as is the case with the call center, or to an outside trunk connection 152a”}.

As for Claim 61, JUDKINS discloses the method of Claim 51, wherein the recording plan comprises a voice recording plan and further comprising recording a

Art Unit: 3629

voice session conducted by the client, according to the voice recording plan {Column 6, Lines 28-30, wherein this reads over "Each IVR server is capable of supporting up to 96 voice ports a piece"}.

As for Claim 62, JUDKINS discloses the method of Claim 51, wherein the recording plan comprises a data recording plan and further comprising recording a data session conducted by the client, according to the data recording plan {Column 6, Lines 41-46, wherein this reads over "The CTI can provide an interface between the call center system and a network environment that is CSTA, TSAPI and TAPI standard components, and translate various proprietary call control and telephony control commands, such as used with a Harris 20-20 switch, into a format that is widely accepted as the standard for call center applications"}.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 3629

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

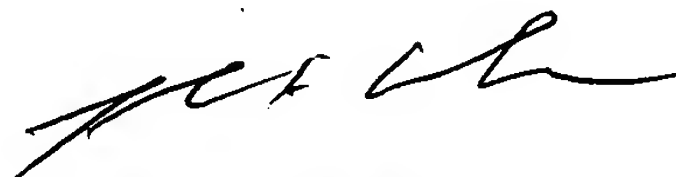
No claims are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT
03/07/2006



JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600